

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

BOBBY D. PHILIPS, §
§
Plaintiff, §
§
v. § **Case No. 2:17-cv-02011-RDP**
§
CENTRAL FINANCIAL CONTROL, §
§
Defendant. §

**MOVANT, CENTRAL FINANCIAL CONTROL'S,
MOTION FOR JUDGMENT ON THE PLEADINGS**

Movant Defendant, Syndicated Office Systems, LLC *d/b/a* Central Financial Control (CFC), through counsel and under Federal Rule of Civil Procedure 12(c), hereby submits its Motion for Judgment on the Pleadings and Brief in Support, seeking a dismissal with prejudice of the Complaint filed by plaintiff, Bobby D. Philips (plaintiff), and states:

1. On December 1, 2017, plaintiff filed his class action Complaint alleging CFC violated § 1692g(a)(2) of the Fair Debt Collection Practices Act (FDCPA), 15 U.S.C. § 1692, *et seq.*, by sending him a collection letter regarding a medical debt wherein CFC “fail[ed] to properly inform [plaintiff] of the identity of the original creditor.” (Doc. 1, p. 6, ¶34.) Specifically, plaintiff alleges CFC improperly referred to Brookwood Medical Center as the “Facility” instead of the “Creditor.” *Id.* at p. 2, ¶ 10.

2. As discussed more fully in CFC’s Brief filed contemporaneously herewith, plaintiff’s claim fails as a matter of law. *See* 15 U.S.C. § 1692g(a)(2); *Lait v. Medical Data Sys., Inc.*, No. 1:17-CV-378, 2018 WL 1990513, *5 (M.D. Ala. April 26, 2018) (Watkins, C.J.), *reconsideration denied*, No. 1:17-CV-378-WKW, 2018 WL 1973269 (M.D. Ala. Apr. 26, 2018),

appeal docketed, No. 18-12255-F (11th Cir. May 25, 2018). Accordingly, plaintiff's claim must be dismissed with prejudice.

WHEREFORE, CFC respectfully requests that this Court grant its Motion for Judgment on the Pleadings, dismiss plaintiff's Complaint with prejudice, and for such other relief to which CFC has shown itself justly entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2018, a copy of the foregoing was electronically filed with the Clerk of the Court, United States District Court for the Northern District of Alabama and served via CM/ECF upon the following:

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